



## Fair Housing Law

### Protected Classes

The Federal, State, and Local Fair Housing laws prohibit discrimination in housing based on:

Race or Color  
Religion  
Sex  
Disability  
National Origin  
Sexual Orientation  
Gender Identity  
Military Veteran Status  
Age  
Marital Status

### What is prohibited?

If only based on the renter's membership in a Federal, State, or local protected class, a rental property owner or manager is not allowed to:

- Refuse to rent a home or apartment.
- Refuse to negotiate for a home or apartment.
- Make unavailable or deny a home or apartment.
- Set different terms, conditions, or privileges for rent of a dwelling.
- Provide different housing services and facilities.
- Falsely deny that a home or apartment is available for rent.
- Represent that housing used by a protected class member may result in (1) lowering of property values, (2) change in the ethnic makeup of neighborhood, or (3) decline in the quality of schools.
- Deny anyone access to, or membership in, a facility or service related to the rental of housing, or discriminate against any person.

### What are exemptions to Fair Housing Laws?

- Owner-occupied buildings with 4 units or fewer.
- Single-family housing sold without use of a broker.
- Housing operated by organizations and private clubs that limit occupancy to members.
- Some senior housing facilities and communities are exempt from liability based on familial status.
- Gender preference may be acceptable if there is a shared kitchen or bath.

### FIND US ONLINE

[baltimorecountymd.gov/agencies/  
planning/fairhousing](http://baltimorecountymd.gov/agencies/planning/fairhousing)

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## Familial status

### **In general, familial status protections cover:**

Households in which one or more children under 18 years old live with:

- A parent.
- A person who has legal custody (guardianship).
- The designee of a parent or legal custodian.
- A pregnant woman.
- Any person in the process of securing legal custody of a child under 18 years of age.

## Additional protections for the disabled

### **If a tenant, or member of their household:**

- Has a physical or mental disability that substantially limits one or more major life activities.
- Has a record of such disability.
- Is regarded as having such a disability.

### **If the protection applies, a landlord may not:**

- Refuse to let the tenant make reasonable modifications to the dwelling or common use areas, at the tenant's expense, if necessary for the disabled person to use the housing.
- Refuse to make reasonable accommodations in rules, policies, practices, or services, if necessary for the disabled person to use the housing.

## Military Veterans

### **Baltimore County prohibits discrimination of military veterans.**

#### **A veteran is a person who is:**

- A former member of the United States armed forces who was discharged from active duty under circumstances other than dishonorable.
- A member of the Maryland National Guard.
- A member of a reserve component of the United States armed forces.

## Fair Housing Do's

- Treat each applicant equally.
- Be consistent in the information you request and the applicant approval process.
- Document contacts with applicants and tenants in writing.
- Keep a written copy of your policies and procedures on applications and occupancy.
- Educate and train employees about Fair Housing Laws and practices.

## Fair Housing Don'ts

- Never make, print, or publish any statement, in connection with the rental of a dwelling that indicates a preference, limitation, or discrimination based on a protected class. *This prohibition applies to single-family and owner-occupied housing that is otherwise exempt from laws prohibiting housing discrimination.*
- Never refuse to consider the income of multiple applicants applying to live together in one housing unit.
- Never threaten, coerce, intimidate, or interfere with anyone exercising a fair housing right or assisting others who exercise that right.
- Never ask illegal questions about an applicant's marital status, religious practices, or sexual orientation.
- Never steer applicants away from their desired property to other landlords or neighborhoods.
- Never ask applicants about birth control or family practices.

